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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA for the use of  
NORTH STAR TERMINAL & STEVEDORE  
COMPANY, d/b/a Northern Stevedoring &  
Handling, and NORTH STAR TERMINAL &  
STEVEDORE COMPANY, d/b/a Northern  
Stevedoring & Handling, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of  
SHORESIDE PETROLEUM, INC., d/b/a Marathon  
Fuel Services, and SHORESIDE PETROLEUM,  
INC., d/b/a Marathon Fuel Services, on its own  
behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER  
ROCK PRODUCTS, INC.; UNITED STATES  
FIDELITY AND GUARANTY COMPANY; and  
ROBERT A. LAPORE,

Defendants.

Case No. 3:98-cv-009-TMB

**[PROPOSED] ORDER UPON  
RECONSIDERATION**

The Court, having considered North Star's Motion for Reconsideration of Order

Disposing of Parties' Bad Faith Summary Judgment Motions filed at Docket No. 647 and

opposition thereto,

HEREBY ORDERS: The Court's previous Order filed at Docket No. 635 is vacated and USF&G's motion for summary judgment upon the plaintiffs' bad faith claims is DENIED.

DATED: August \_\_\_\_\_, 2006

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TIMOTHY M. BURGESS  
U.S. District Court Judge

CERTIFICATE OF SERVICE

I certify that on the August 8, 2006, a copy of the foregoing NORTH STAR'S MOTION FOR RECONSIDERATION was served electronically to Steven S. Shamburek, Esq., Traeger Machetanz, Esq., Paul D. Stockler, Herbert A. Viergutz, and C. Patrick Stoll, Esq.

s/ Michael W. Sewright